

MOONLIGHT BASIN

October 28, 2009

Charity Fechter
Madison County Planner
P.O. Box 278
Virginia City, MT 59755

Re: *Cowboy Heaven Phase 3A, PUD*
Lone Camp Road / Driveway to High Camp Lots C, D and E

Dear Charity:

Per our meeting on September 24th, we would like to request a variance to the Subdivision Regulations to allow for a private driveway to serve three dwellings, rather than two. I am attaching a map illustrating the current layout for this driveway, as well as the lot configuration. We are also enclosing a copy of the Variance Application Form (Appendix S) with this letter.

Due to the terrain in the High Camp area, our options were limited and we needed to create a driveway to access three dwellings. One driveway instead of two or three limited the impact on the land and created more open space. All three of the affected owners have agreed to this driveway solution and design.

Chief Jason Revisky with the Big Sky Fire Department has reviewed this driveway on site and has determined that one driveway serving three home sites is acceptable. I am attaching a copy of his letter dated September 29, 2009. There is an adequate turn-around area for a fire truck at the entrance area to Lot C, as well as a turn-around area at the end of the driveway where Lot E and D converge. Additionally, all homes in High Camp are required to have fire suppression systems and the existing fire hydrants are located within 250 feet from the homes, as required by the Big Sky Fire Department.

If this modification is acceptable, we will need the GIS Department to issue the formal addresses to the owners of High Camp Lot C, D and E so they can erect their addressing signs and the E911 database can be updated. As you have requested, we are willing to name this drive since it will serve more than two dwellings. One of the affected owners has suggested Lone Camp Road, and we have agreed to this road name.

We have worked with Karen Brown on this driveway layout and, if the variance is acceptable, she has proposed the following addresses for these homes:

High Camp C - 5 Lone Camp Road
High Camp D - 11 Lone Camp Road
High Camp E - 10 Lone Camp Road

Charity, as always, we appreciate your time in reviewing this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'KRG', followed by a horizontal line.

Kevin P. Germain
Jessi Fanelli
Planning & Development

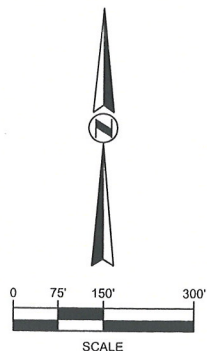
Enclosure



LEGEND

FEATURE DESCRIPTION

	CONTOUR
	PROPERTY LINE
	EASEMENT LINE
	DRIVEWAY/ROADWAY EDGE
	SKI RUN
	SKI LIFT
	SKI BRIDGE/TUNNEL
	SEWER CONNECTION
	WATER CONNECTION
	BUILDING ENVELOPE



The information provided on this map is for orientation purposes only and is not intended to portray actual property lines or the precise location of other features. The protection and permitting regarding wetlands is the responsibility of the owner. Trees and other shrubbery may need to be removed during development due to topography conditions existing on the site. By accepting this map, the recipient acknowledges that the information portrayed may not be accurate, and further acknowledges that a registered land surveyor should be consulted for more accurate information. Moonlight Basin Ranch L.P. and the Montana Real Estate Company and their agents, employees, and representatives assume no responsibility for, and make no representations regarding, the accuracy of the information portrayed. Moonlight Basin Ranch L.P. is in no way is obligated to build what is displayed. This map is for planning purposes only. This map is subject to change and is not recorded in Madison County.

MOONLIGHT BASIN
MADISON COUNTY, MONTANA

COWBOY HEAVEN PHASE 3-A
HC D

DRAWN BY: EWB
DESIGNED BY: MBR
DATE ISSUED: 6/25/09
PROJECT NO.: NA
DRAWING NAME: HC D.dwg
SHEET

1 OF 1



MOONLIGHT BASIN

PLANNING & DEVELOPMENT
2 HOT SPRINGS LOOP ROAD
P.O. BOX 1369
ENNIS, MT 59729

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fax: (406) 682-7975
www.moonlightbasin.com

**Gallatin Canyon Consolidated Rural Fire District**

P.O. Box 160382
Big Sky, MT 59716
(406) 995-2100

September 29, 2009

Charity Fechter
Madison County Planning Department
P.O. Box 278
Virginia City, MT 59755

Re: High Camp Lots

Dear Ms. Fechter,

After reviewing the plans for driveway specifications and improvements for the 3 High Camp lots to be served by one driveway, I find them acceptable for Fire Department use.

Should you have any questions, please contact me at your convenience.

Sincerely,

Jason Revisky, Fire Chief
GCCRFD/Big Sky Fire Department

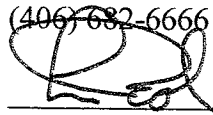
RECEIVED
10.1.09

APPENDIX S. VARIANCE APPLICATION FORM

1. **Project Name:** Variance for a driveway to serve more than two dwellings
Cowboy Heaven Phase 3A (High Camp Lots C, D & E)

2. **Landowner Information:**

Developer and Easement Holder:
Moonlight Basin Ranch, Limited Partnership
P.O. Box 1369
Ennis, MT 59729
(406) 682-6666



Signature

Date: 10-28-09

3. **Describe the requested Variance.** We are requesting a variance to the
Subdivision Regulations for one driveway to serve more than two dwellings.

4. **Describe how the requested variance meets each of the following criteria:**

a. **The variance will not be detrimental to the public health, safety, or general welfare, or injuries to other adjoining properties.**

Due to the terrain in this particular area, the variance requested will provide safe and logical access to the three residences involved. This driveway will be accessible year-round and will promote the general welfare and safety of the three owners who rely on this driveway for access to their homes.

b. **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of these regulations is enforced.**

It is because of the particular physical surroundings and topography of this area that there became a need for a shared driveway. This variance will not create an undue hardship to the affected owners, and will do nothing but enhance their access to their homes, as well as emergency service access to their homes.

c. **The variance will not cause a substantial increase in public costs.**

This variance will not cause an increase in public costs. The Developer has paid for and constructed the driveway which is the subject of this variance.

- d. **The variance will not in any manner place the proposed subdivision in non-conformance with any adopted zoning regulations. The variance should not place the proposed subdivision in substantial non-compliance with the Madison County Growth Policy.**

There are no zoning regulations in Moonlight Basin. This variance is also not in substantial non-compliance with the Madison County Growth Policy.

5. **As appropriate, discuss whether or not the variance is a part of an innovative development proposal which does not circumvent the purpose of the Madison County Subdivision Regulations.**

The proposed variance is not, nor is it intended to be a proposal to circumvent the purpose of the Madison County Subdivision Regulations. This variance is to simply allow for one extra home to be served by a driveway. By sharing a driveway, it allows us to lessen the impact on the land and create more open space.

6. **Provide names and addresses of all adjoining property owners. Provide documentation that written notification of the variance request has been provided to them, plus any existing property owners association potentially affected by the project as determined by the planner.**

Below is a list of the adjoining property owners along with a copy of their letters notifying them of this proposed variance request (sent certified and return receipt mail):

Cowboy Heaven Phase 3A – High Camp Lot C
Martin & Julianne Belz
5407 Shady Grove Terrace
Memphis, TN 38120

Cowboy Heaven Phase 3A – High Camp Lot D
Wayne & Kendall Dimarco
1310 Summerhill Drive
Malvern, PA 19355

Cowboy Heaven Phase 3A – High Camp Lot E
Lee & Michelle Franklin
5985 Taylor Road
Montgomery, AL 36116